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26 UNITED STATES DISTRICT COURT
27 NORTHERN DISTRICT OF CALIFORNIA

28 DENNIS HART AND RON MILLER,

Plaintiffs,

v.

CITY OF ALAMEDA,

Defendant.

Case No.: C 07-05845 MMC

**UPDATED JOINT CASE MANAGEMENT
STATEMENT AND ~~PROPOSED~~ ORDER**

Date: July 24, 2009

Time: 10:30 a.m.

Dept: Courtroom 7, 19th Floor
The Hon. Maxine M. Chesney

The parties to the above-entitled action jointly submit this updated Joint Case Management Statement and Proposed Order and request that the Court adopt it as its Case Management Order in this case.

This Court's Order granting in part and denying in part the parties' cross-motions for Summary Adjudication was issued on June 17, 2009. Now that the principal legal issues in dispute have been resolved, the parties have agreed to meet within the next thirty (30) days to determine whether the remaining aspects of the case can be resolved, or whether further discovery is required before this matter is fully adjudicated.

Therefore, to further the efforts at informal resolution, the parties request that the July 24 Case Management Conference be continued for approximately sixty (60) days for the parties to attempt to resolve this matter. At that time, the parties will be in a better position to identify whether the parties have reached a resolution, whether the intervention of a third party or additional discovery is appropriate to facilitate resolution, or whether the parties intend to proceed to trial with the remaining claims.

Date: July 9, 2009

/ s /

Alison Berry Wilkinson
Attorney for Plaintiffs

Date: July 9, 2009

/ s /


Ian P. Fellerman
Attorney for Defendant

CASE MANAGEMENT ORDER

The Case Management Statement is hereby adopted by the Court as the Case Management Order for the case and the parties are ordered to comply. The Court hereby Orders that:

1. The Case Management Conference scheduled for July 24, 2009 is hereby continued to September 18, 2009, with an updated Joint Case Management Statement to be filed by the parties seven days prior thereto.

Date: July 15, 2009


MAXINE CHESNEY
United States District Court Judge